IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.466 OF 2007**
**IN**
**CRIMINAL APPEAL NO. 1239 OF 2004**

Bawne Ingatius John Rego ..Applicant
V/s
The State of Maharashtra ..Respondent.

Mr. Satish L. Maneshide, Advocate for the applicant.
Mrs. M.H.Mhatre, APP for the State.
Mr. H.V. Mehta for repsondent No..2.

**CORAM : J.H. BHATIA, J.**

**DATE : 26TH APRIL, 2007.**

P.C.

. Heard Mr. Maneshinde, learned Counsel for the applicant and Mr. Mehta, learned APP for respondent No.2.

2. The present applicant along with other three was convicted for the offence under NDPS Act and was sentenced to undergo R.I. for 10 years. Earlier application filed by the present applicant for bail was rejected by this Court. Similarly the bail application filed by of another accused Birendra was also rejected by this Court. However, by order dated 8th December, 2006, the Supreme Court granted bail to him on the

ground that he had already undergone nine years actual sentence, out of ten years sentence awarded to him. The present applicant contends that he is in jail for last about nine and half years and therefore, on the same logic, he should also be granted bail. The case of the present applicant cannot be distinguished from that of Birendra.

3. Therefore the applicant is granted bail on his executing P.R. of Rs.1 lakh with one or two sureties to make up that amount and he shall also report at Santascruz Police Station once in a week till disposal of the appeal.

**(J.H. BHATIA, J.)**